

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,461	03/25/2004	Eiji Ishiyama	Q80447	4863
23373 7590 07/06/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER WANG, KENT F	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 07/06/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/808,461

Applicant(s)

ISHIYAMA ET AL.

Examiner

Kent Wang

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of paper submitted under 35 U.S.C. 119(a)-(d), which paper has been placed of record in the file.

Information Disclosure Statement

2. The reference listed on the disclosure statement (IDS) submitted on 03/25/2004 has being considered by the examiner (see attached PTO 1449).

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 9-10, and 13-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ozawa (US 2003/0016378) in view of Shaklee (6,166,825).

Regarding claim 1, Ozawa discloses a print system (Fig. 1) having a printer controlling device (a digital camera 10, Figs. 1 and 2) and a printer (a printer 12, Figs. 1 and 3), which performs printing on the basis of print data including a plurality of data segments inputted from printer controlling device (Ozawa [0063]).

Ozawa does not explicitly disclose the print system comprising first communication means for conducting high-speed radio data-communication and second communication means for conducting low-speed radio data-communication between printer controlling device and printer.

Shaklee discloses a print system having a printer controlling device (computer component 100, Fig. 1) and a printer (print engine component 300, Fig. 3), which performs printing on the basis of print data including a plurality of data segments inputted from printer controlling device (col. 3, lines 49-56), the print system comprising:

- first communication means for conducting high-speed radio data-communication (high-speed communication pathway) between printer controlling device (100) and printer (300), the predetermined data segment (printable pixel data) being transferred from printer controlling device to printer by using first communication means (col. 2, lines 22-35, and col. 6, lines 51-60); and
- second communication means for conducting low-speed radio data-communication (low-speed communication pathway) between printer controlling device and printer, the other data segment (control message) being

transferred from printer controlling device to printer by using second communication means (col. 2, lines 22-35, and col. 6, lines 51-60).

Ozawa and Shaklee are analogous art because they are from the same field of high speed and low speed communication between printer controlling device and printer. At the time of the invention, it would have been obvious to a person of the ordinary skill in the art to use Shaklee's communication paths in Ozawa's image processing system. The suggestion/motivation would have been to enable a photographic process printer system to utilize these two communication paths thereby, the computer component continues to transmit packets of printable pixel data over the high-speed communication pathway as long as the control message over the low-speed communication pathway indicate that the print engine component is ready to receive more packets of printable pixel data (Shaklee, abstract).

Regarding claim 2, Ozawa discloses the first communication means is turned off when the data communication of the predetermined data segment is not conducted (Ozawa [0070]).

Regarding claim 3, Shaklee discloses the predetermined data segment concerns image data (printable pixel data) and the other data segment concerns setting data (control message) for defining print conditions of said printer (Shaklee, col. 8 lines 30-44).

Regarding claim 4, Ozawa discloses the printer controlling device is a digital camera (digital camera 10) for producing image data by photographing a subject (printable pixel data) and for producing print data by adding the print-setting data to

the image data (a print mode setting dialog window) (see numeric 34 of Figs 7 and 8, and [0065] and [0067]).

Regarding claim 5, Ozawa discloses the first communication means is a pair of first radio interfaces for conducting said high-speed radio communication (infrared ray communication interface 16 and 18), and said second communication means is a pair of second radio interfaces for conducting said low-speed radio communication (infrared ray communication interface 16 and 18) (see Fig 1 and [0057] – [0059]).

Regarding claims 9 and 13, these claims recite same limitations as claim 1. Thus they are analyzed and rejected as previously discussed with respect to claim 1 above.

Regarding claims 10 and 14, these claims recite same limitations as claim 5. Thus they are analyzed and rejected as previously discussed with respect to claim 5 above.

Regarding claim 15, Ozawa discloses print-setting data of print data includes information concerning a print size (paper size), an image-quality mode (color matching mode) and a printing direction (see Fig. 12, steps S72 and S74, and also [0084], [0078], and [0079]).

Regarding claim 16, Ozawa discloses printer controlling device is a digital camera (a digital camera 10) (see [0056]).

6. Claims 6-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ozawa in view of Shaklee, further in view of Otsuka, US 2002/0140963

Regarding claim 6, Ozawa and Shaklee disclose a print system having a printer controlling device and a printer, which performs printing on the basis of print data including a plurality of data segments inputted from printer controlling device.

Ozawa and Shaklee do not explicitly disclose the first communication means is based on a standard of IEEE 802.11a or 11b, and said second communication means is based on a standard of IEEE 802.11b or Bluetooth.

Otsuka discloses a print system first communication means is based on a standard of IEEE 802.11a or 11b, and said second communication means is based on a standard of IEEE 802.11b or Bluetooth (Otsuka, [0133]).

Ozawa, Shaklee, and Otsuka are analogous art because they are from the same field of data communication between printer controlling device and printer. At the time of the invention, it would have been obvious to a person of the ordinary skill in the art to use Otsuka's wireless communication in Ozawa's image processing system. The suggestion/motivation would have been to enable the printer has a communication system according to IEEE 802.11 or Bluetooth (Otsuka, [0068]).

Regarding claim 7, this claim recites same limitations as claim 6. Thus it is analyzed and rejected as previously discussed with respect to claim 6 above.

7. Claims 8, 11, and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ozawa in view of Shaklee, further in view of Omura, US 6,999,113.

Regarding claim 8, Ozawa and Shaklee disclose a print system having a printer controlling device and a printer, which performs printing on the basis of print data including a plurality of data segments inputted from printer controlling device.

Ozawa and Shaklee do not explicitly disclose the printer has a battery as a power source so as to be portable.

Omura discloses a printer has a battery as a power source so as to be portable (battery chamber lid 22 and battery pack 24) (Omura, col. 4, lines 12-16).

Ozawa, Shaklee, and Omura are analogous art because they are from the same field of printer for outputting image data. At the time of the invention, it would have been obvious to a person of the ordinary skill in the art to use Omura's battery chamber and battery pack in Ozawa's printer. The suggestion/motivation would have been to enable the printer has a capability to connect to some external apparatuses for exchanging image data from each other. It is also possible to power the portable instant printer from the net through an AC adapter or the like (Omura, col. 4, lines 12-17).

Regarding claim 11, this claim recites same limitations as claim 8. Thus it is analyzed and rejected as previously discussed with respect to claim 8 above.

Regarding claim 12, this claim recites same limitations as claim 15. Thus it is analyzed and rejected as previously discussed with respect to claim 15 above.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Maemura (US 2003/0072032) discloses an apparatus that receives an e-mail message through a local area network, stores image data contained in the e-mail message in a data storage unit, converts the image data stored in the data storage unit into image data that a facsimile terminal can properly handle, and transfers the converted image data to the facsimile terminal.

Art Unit: 2622

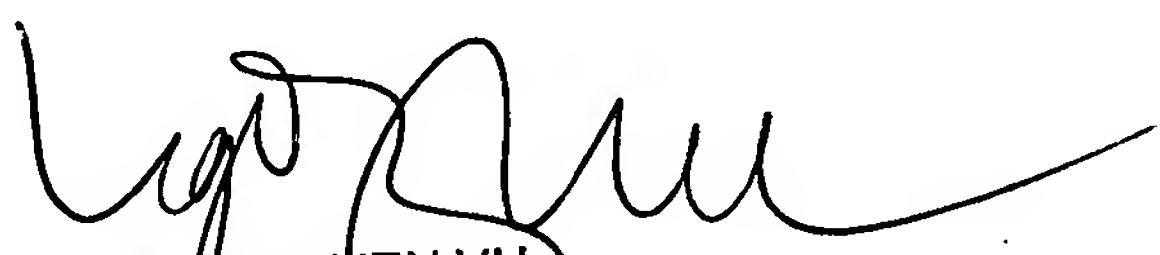
- Kumakura (US 4,622,682) discloses a communication system equipped with an ARQ function for transmitting data in the form of a block between a transmitter and a receiver through a transmission route having a relatively large time delay, such as a submarine cable and communications satellite.

Inquiries

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kent Wang whose telephone number is 571-270-1703. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-270-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


NGOC-YEN VU
SUPERVISORY PATENT EXAMINER